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8 *J.C.M. Industries, Inc. dba Advance Storage*
Products

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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 QUINTON DRUMMER, STEFFAN
13 WEBB, and DEMONTRAY
14 STALLWORTH, individually, and on
behalf of all others similarly situated,

15 Plaintiffs,

16 vs.

17 ALPHA TEAM CONSTRUCTION
CORPORATION, BG CONSTRUCTION
18 SERVICES, LLC, HECTOR BELTRAN,
and J.C.M. INDUSTRIES, INC., doing
19 business as ADVANCE STORAGE
PRODUCTS, jointly and severally,

20 Defendants.

Case No.: 2:18-cv-01251-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
TIME FOR DEFENDANT J.C.M.
INDUSTRIES dba ADVANCE STORAGE
PRODUCTS TO ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S FIRST
AMENDED COLLECTIVE AND CLASS
ACTION COMPLAINT, AND TIME TO FILE
~~AMENDED JOINT PROPOSED DISCOVERY
PLAN AND SCHEDULING ORDER~~**

(Fourth and Final Request)

21
22 Defendant J.C.M. Industries, Inc. doing business as Advance Storage Products ("JCM"),
23 by and through its counsel, Jackson Lewis P.C., Plaintiffs Quinton Drummer, Steffan Webb and
24 Demontray Stallworth ("Plaintiffs"), by and through their counsel, Wolf, Rifkin, Shapiro,
25 Schulman & Rabkin, LLP, and Defendant Hector Beltran, in proper person, hereby submit this
26 final stipulation to extend the time for JCM to answer or otherwise respond to Plaintiffs' First
27 Amended Collective and Class Action Complaint, and for the parties to submit their joint
28 proposed discovery plan and scheduling order.

1 Plaintiffs served their First Amended Collective and Class Action Complaint on JCM on
2 July 5, 2019, and JCM's response was, initially, due on July 26, 2019. The parties stipulated,
3 with this Court's approval, to extend JCM's deadline to answer or otherwise respond to Plaintiffs'
4 First Amended Collective and Class Action Complaint to August 26, 2019, with subsequent
5 extensions approved to September 26, 2019 and October 17, 2019. (ECF No. 63; 68, 72). After
6 preliminary discussions regarding the scope of discovery, the parties further stipulated, with this
7 Court's approval, to extend the time for the parties to submit their amended joint proposed
8 discovery plan and scheduling order to September 9, 2019, with subsequent extensions approved
9 to October 10, 2019 and October 31, 2019, reflecting two weeks after JCM's deadline to answer
10 or otherwise respond to Plaintiffs' Amended Complaint. (ECF No. 65; 69; 73).

11 Throughout this period, the parties have continued to evaluate their respective positions
12 and supporting evidence, and have exchanged multiple offers and counteroffers. While
13 negotiations have taken longer than expected due to the factual complexity of the matter, the
14 parties believe that one final brief extension will allow the parties to complete the negotiation
15 process.

16 Accordingly, the parties seek a brief and final 2-week extension for JCM to answer or
17 otherwise respond to the First Amended Collective and Class Action Complaint to October 31,
18 2019, in order to continue negotiations. This is the parties' fourth and final request for extension
19 of this deadline.

20 The parties further request a corresponding extension of the deadline to submit the
21 amended joint proposed discovery plan and scheduling order to November 14, 2019, two weeks
22 after the extended deadline to respond to the Amended Complaint. This is the third request for
23 extension of this deadline.

24 This stipulation and order is sought in good faith and not for the purpose of delay.

25 **STIPULATION**

26 NOW THEREFORE, the parties hereby agree and stipulate as follows:

27 The deadline for Defendant JCM to answer or otherwise respond to Plaintiffs' First
28

1 Amended Collective and Class Action Complaint shall be continued to October 31, 2019.

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4 Dated this 16th day of October, 2019.

5 WOLF, RIFKIN, SHAPRIO, SCHULMAN
6 & RABKIN, LLP

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7 /s/ Charles R. Ash, IV

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15 /s/ Hector Beltran

16 Hector Beltran
17 BG Construction Services, LLC
18 9775 Hightower Road
Roswell, GA 30075
Defendant, in proper person

19 **IT IS SO ORDERED.**

20 Dated this 17 day of October, 2019.

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UNITED STATES MAGISTRATE JUDGE

24 4843-2585-1306, v. 1